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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,211	10/13/2004	Arougg Jbira	GB 020047	2129

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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EXAMINER

RIVERO, MINERVA

ART UNIT PAPER NUMBER

2627

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/511,211

Applicant(s)

JBIRA, AROUGG

Examiner

Minerva Rivero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 is/are allowed.
- 6) ☒ Claim(s) 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. In the Remarks submitted 7/12/06, Applicants cancelled claims 1-5 and added claims 6 and 7.

#### ***Allowable Subject Matter***

2. Claim 7 is allowed.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dahan et al. (U.S. Patent 6,137,763) in view of "Algorithm for Managing Multiple First-In, First-Out Queues From a Single Shared Random-Access Memory" (IBM Technical Disclosure Bulletin, Vol. 32, no. 3B).

Regarding claim 6, Dahan *et al.* disclose a multitrack optical disc reader (Fig. 1, element 10) comprising a multitrack optical pick up (Fig. 1, element 11) for reading

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data from multiple tracks of an optical disc and outputting the data from each track in respective data streams (Col. 5, lines 38 and 39); and a memory bank (Fig. 1, element 30) in which first-in-first-out (FIFO) buffers for temporarily storing data from the respective data streams may be dynamically defined (Col. 5, lines 47-52; data sequentially transferred, as in a queue);

which is able to use less than the maximum number of tracks that can be read by the pickup (Fig. 4B, step 473);

and when less than the maximum possible number of tracks that can be read by the pickup are being used, only FIFO buffers for data streams for those tracks used are defined (Fig. 4B, step 415).

However, Dahan *et al.* fail to disclose a disc reader wherein, at least one of the FIFO buffers is defined to have a size greater than the total FIFO memory that can be defined in the memory bank divided by the maximum number of tracks that can be read by the pickup.

The IBM Technical Disclosure Bulletin discloses a disc reader wherein, at least one of the FIFO buffers is defined to have a size greater than the total FIFO memory that can be defined in the memory bank divided by the maximum number of tracks that can be read by the pickup (Pg. 489; The shared RAM consists of multiple FIFO queues. The collection of unoccupied cells is treated as an extra FIFO queue. The size of the extra FIFO queue is greater than the total RAM size when the unoccupied cells do not correspond to a FIFO of an individual track.)

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Dahan *et al.* with a buffer RAM of the IBM Technical Disclosure to obtain an apparatus in which the memory is fully shared among queues.

Motivation for the above combination is to achieve memory bank that does not require the use of a 'garbage collection' (see Page. 489 of the IBM Technical Disclosure).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minerva Rivero whose telephone number is (571) 272-7626. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MR 9/30/06

WAYNE YOUNG  
SUPERVISORY PATENT EXAMINER